



Governor  
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY**  
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AZ Board of Osteopathic Examiners  
Minutes for Meeting of April 28, 2007  
1 of 12

**BOARD MEMBERS:**  
David M. Steinway, D.O., President  
Stanley J. Grossman, Vice President  
Andrew Becke  
Arlene England, D.O.  
MaryAnn Picardo, D.O.  
Scott Steingard, D.O.  
F. P. Wedel, D.O.

**Executive Director**  
Jack Confer

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**MINUTES OF THE PUBLIC BOARD MEETING  
OF THE ARIZONA BOARD OF OSTEOPATHIC  
EXAMINERS IN MEDICINE AND SURGERY**

**Saturday, April 28, 2007**

**BOARD MEMBERS PRESENT:** President David Steinway, D.O., Vice-President Stanley Grossman, Andrew Becke, Arlene England, D.O., Mary Ann Picardo, D.O.

**BOARD MEMBERS ABSENT:** Scott Steingard, D.O., and F.P. Wedel, D.O. were excused from the meeting

**STAFF / OTHERS PRESENT:** Jack Confer, Executive Director  
Barbara Meyers, Deputy Director  
Barbara Prah, D.O., Medical Consultant  
Beverly Alfson, Business/Licensing Manager  
Blair C. Driggs, Assistant Attorney General

**1. CALL TO ORDER**

The Board President, Dr. David Steinway, called the meeting to order at 8:05 a.m.

**2. ROLL CALL AND REVIEW OF AGENDA**

The Executive Director took the roll. The Board Members listed above were present, establishing quorum for the meeting.

**3. PRESIDENT'S REPORT AND CALL TO THE PUBLIC**

- A. Welcome to the 3<sup>rd</sup> year Medical Students – Arizona College of Osteopathic Medicine at Midwestern University and Kirksville College of Osteopathic Medicine at A.T. Stills University
- B. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. If you want to address the Board on an issue not on the agenda, you will be asked to speak prior to the adjournment. All people wishing to speak should fill out a speaker form and give it to a staff member.

**4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES**

- A. March 3, 2007 Open Session Minutes
- B. March 3, 2007 Executive Session Minutes

**MOTION:** Mr. Becke moved to ACCEPT the minutes as presented. Dr. England seconded.

**VOTE:** The motion passed unanimously.

**5. REVIEW, DISCUSSION AND APPROVAL OF PROPOSED CONSENT AGREEMENT**

A. Jeff Baird, D.O. Case No. 3562 License No. 2431

Mr. Driggs, AAG, reviewed the case and proposed a Consent Agreement for a Decree of Censure as resolution of the matter.

**MOTION:** Mr. Grossman moved to ACCEPT the CONSENT AGREEMENT FOR A DECREE OF CENSURE. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	4	X	X		X		X	
NO	1					X		
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 4-1.

**6. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

A. John Raniolo, D.O. Case No. 3658AM License No. 1968

Dr. Raniolo was present and sworn in. Calvin Raup was present as his legal representative. George Parides, D.O. and Ira Ehrlich, M.D. were present on Dr. Raniolo's behalf. The Medical Consultant summarized the case. Dr. Raniolo answered all questions posed by the Board. Dr. Parides and Dr. Ehrlich addressed the Board.

**MOTION:** Dr. England moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

B. Ronald Goedecke, D.O. Case No. 3681M License No. 0643

Dr. Goedecke was present and sworn in. Katie Rogers was present as his legal representative. The Medical Consultant summarized the case. Dr. Goedecke answered all questions posed by the Board.

**FIRST MOTION:** Mr. Becke moved for a DECREE OF CENSURE. There was no second. Mr. Becke withdrew his motion.

**SECOND MOTION:** Mr. Grossman moved to issue a LETTER OF CONCERN for failure to follow up on abnormal laboratory results and for 20 hours of CONTINUING MEDICAL EDUCATION in the areas of HPV and abnormal PAP smears or cervical cancer. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

C. POSTPONED

D. Robert Casey, D.O. Case No. 3707 License No. 1955

Dr. Casey was present and sworn in. Gordon Lewis was present as his legal representative. The Medical Consultant summarized the case. Dr. Casey answered all questions posed by the Board.

**MOTION:** Dr. England moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	3		X		X		X	
NO	1	X						
ABSTAIN	0					X		
ABSENT	0			X				X

**VOTE:** The motion passed 3-1.

E. Carrol Wheat, D.O.

Case No. 3627

License No. 1642

Dr. Wheat was present and sworn in. The complainant was present and sworn in. The Medical Consultant summarized the case. Dr. Wheat addressed the Board and answered all questions posed by the Board. The complainant addressed the Board and answered questions.

**MOTION:** Mr. Grossman moved to issue a LETTER OF CONCERN for failure to follow up on STAT CT scan ordered. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

F. Joseph Sherman, D.O.

Case No. 3775

License No. 1916

Dr. Sherman was present and sworn in. Calvin Raup was present as his legal representative. The complainant and her husband were present and sworn in. The Medical Consultant summarized the case. Dr. Sherman answered all questions posed by the Board. The complainant and her husband addressed the Board.

**MOTION:** Mr. Grossman moved for a LETTER OF CONCERN pursuant to A.R.S. § 32-1854 (6) and (38) and 20 hours of CONTINUING MEDICAL EDUCATION in the area of aseptic technique. Mr. Becke seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	3	X	X				X	
NO	2				X	X		
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 3-2.

G. Lloyd Arnold, D.O.

Case No. 3817

License No. 0641

This case was continued at the request of the physician.

H. Michael Barry, D.O. Case No. 3596M License No. 2782

Dr. Barry was present and sworn in. Jay Fradkin was present as his legal representative. The Medical Consultant summarized the case. Dr. Barry answered all questions posed by the Board.

**MOTION:** Mr. Becke moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

I. Carlos Moe, D.O. Case No. 3684 License No. 3642

Dr. Moe was present and sworn in. The Medical Consultant summarized the case. Dr. Moe answered all questions posed by the Board.

**MOTION:** Dr. England moved to issue a LETTER OF CONCERN for failure to conduct a complete physical examination and 20 hours of CONTINUING MEDICAL EDUCATION in sexually transmitted diseases to include the evaluation and treatment of herpes and 20 hours of CONTINUING MEDICAL EDUCATION in documentation of the history and physical examination. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	3		X		X		X	
NO	2	X				X		
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 3-2.

J. Charles Lindsay, D.O. Case No. 3667 License No. 0793

Dr. Lindsay was present and sworn in. The Deputy Director summarized the case. Dr. Lindsay answered all questions posed by the Board.

**MOTION:** Mr. Becke moved for a DECREE OF CENSURE for inadequate supervision of an employee and for permitting this employee to practice radiologic technology outside the scope of his license. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	4	X	X			X	X	
NO	1				X			
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 4-1.

K. Barry Gardenhire, D.O. Case No. 3694 License No. 3919

Dr. Gardenhire was present and sworn in. Donald Smith was present as his legal representative. Dr. Gardenhire answered all questions posed by the Board.

**MOTION:** Dr. Picardo moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

L. Charles Lindsay, D.O. Case No. 3399 License No. 0793

This case was continued.

M. Edward Shapiro, D.O. Case No. 3582 License No. 2847

Dr. Shapiro was present and sworn in. Michael Kimerer was present as his legal representative. The Executive Director provided a review of the case and proposed amendments to the Consent Agreement for Probation previously issued.

**MOTION:** Mr. Becke moved to ACCEPT the PROPOSED AMENDMENTS as presented. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

N. Christopher dePalo, D.O. Case No. 3757 License No. 4434

Dr. dePalo was present and sworn in. The Deputy Director reviewed the case. Dr. dePalo answered all questions posed by the Board.

**MOTION:** Mr. Becke moved for a LETTER OF CONCERN for attempting to procure a license to practice osteopathic medicine by misrepresentation. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

**7. REVIEW, CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. 32-1855 (E) AND (I)**

A. S. Foster Easley, D.O.

Dr. Easley was present and sworn in. Charles Buri was present as his legal representative. The Deputy Director reported that Dr. Easley was not in compliance with his Probation Order. Dr. Easley answered all questions posed by the Board.

**MOTION:** Mr. Becke moved for an Executive Session. Dr. Picardo seconded.

**VOTE:** The motion passed unanimously.

At 1:52 p.m. the Board went into Executive Session.

At 1:58 p.m. the Board returned to Open Session.

**MOTION:** Mr. Becke moved for a FORMAL ADMINISTRATIVE HEARING. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

**8. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-109.**

A. POSTPONED

B. Nicholas W. Bartz, D.O.

Dr. Bartz was present and sworn in. Dr. Bartz requested that his application be withdrawn.

**MOTION:** Mr. Becke moved for WITHDRAWAL of the application. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

**9. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).**

A. Anthony Mannino, D.O. Case No. 3697 License No. 2797

**MOTION:** Mr. Grossman moved for DISMISSAL. Dr. England seconded.



	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

B. Jeffrey Bucholz, D.O. Case No. 3805 License No. 4217

**MOTION:** Mr. Becke moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

C. Shenen Dietrich, D.O. Case No. 3693 License No. 3379

**MOTION:** Mr. Grossman moved for an INVESTIGATIVE HEARING. Mr. Becke seconded.

**VOTE:** The motion passed unanimously.

D. Florian Walter, D.O. Case No. 3643 License No. 3971

**MOTION:** Mr. Becke moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed unanimously.

E. Kumar Daulat, D.O. Case No. 3660 License No. 2635

**MOTION:** Mr. Becke moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed 4-1, with Dr. England opposed.

F. Darrell Bunch, D.O. Case No. 3663 License No. 1330

**MOTION:** Mr. Becke moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

G. William DeVito, D.O. Case No. 3635 License No. 3779

**MOTION:** Mr. Becke moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

H. Mark Greenfield, D.O. Case No. 3668 License No. 2827

**MOTION:** Mr. Becke moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

I. Harry Gale, D.O. Case No. 3746 License No. 2772

**MOTION:** Mr. Grossman moved for an INVESTIGATIVE HEARING. Mr. Becke seconded.

**VOTE:** The motion passed unanimously.

J. Karen Acevedo-Mogharbel, D.O. Case No. 3647 License No. 3882

**MOTION:** Mr. Becke moved for DISMISSAL. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

K. Robin MacDougall, D.O. Case No. 3755 License No. 2830

**MOTION:** Mr. Grossman moved for an INVESTIGATIVE HEARING. Mr. Becke seconded.

**VOTE:** The motion passed unanimously.

L. Art Mollen, D.O. Case No. 3837 License No. 1097

**MOTION:** Mr. Becke moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	5	X	X		X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 5-0.

M. Philip Bain, D.O. Case No. 3611M License No. 2302

**MOTION:** Mr. Becke moved for DISMISSAL. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Mr. Becke	Dr. Picardo	Dr. Steingard
YES	4		X		X	X	X	
NO	1	X						
ABSTAIN	0							
ABSENT	0			X				X

**VOTE:** The motion passed 4-1.

- N. POSTPONED
- O. POSTPONED

#### 10. STATUS OF PAUL BLUMBERG, D.O. CASES

The Executive Director provided the Board with the status of opened cases. The Board directed the Executive Director and the Assistant Attorney General to draft a Consent Agreement.

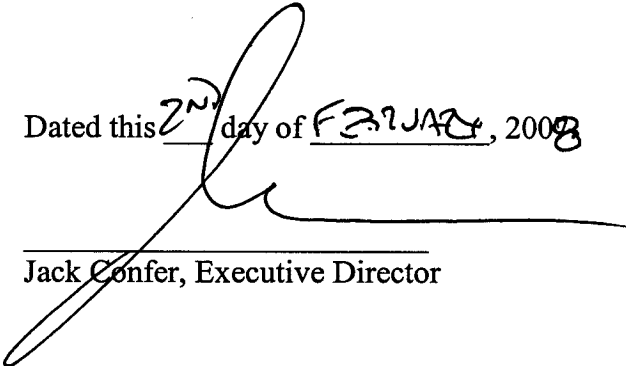
#### 11. EXECUTIVE DIRECTOR REPORT:

- A. Financial Report
- B. Open Complaints Summary
- C. Performance Measures Report
- D. H2517
- E. Draft Internet Prescribing Substantive Policy Statement
- F. Draft Mid-Level Practitioner Substantive Policy Statement
- G. FSMB State of the States, Physician Regulation 2007
- K. FSMB, summary of 2006 Board Actions
- L. Agency Board Action Snapshot

#### ADJOURNMENT

The meeting adjourned at 3:10 p.m.

Dated this 22<sup>nd</sup> day of FEBRUARY, 2008

  
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Jack Confer, Executive Director